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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,096	02/07/2001	Hideyuki Iriyama	DAIN:574	4560

7590

02/10/2003

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EXAMINER

NGUYEN, KIMBERLY T

ART UNIT

PAPER NUMBER

1774

DATE MAILED: 02/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AS-11

**Office Action Summary**

Applicati n N .

09/778,096

Applicant(s)

IRIYAMA, HIDEYUKI

Examin r

Kimberly T. Nguyen

Art Unit

1774

-- The MAILING DATE of this c mmunication appears on the cover sheet with the correspondenc address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 November 2002 .
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9 .
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_ .

## **DETAILED ACTION**

### ***Response to Amendment***

This action is in response to the amendment submitted on November 7, 2002. New claim 16 is acknowledged.

### ***Claim Rejections - 35 USC § 112***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

Due to Applicants' amendments, the previous rejection based upon 35 USC 112, 2<sup>nd</sup> paragraph of claim 6 is withdrawn.

### ***Claim Rejections - 35 USC § 103***

The previous rejections of claims 1-13 under 35 USC 103(a) are withdrawn.

**Claims 1-2, 4-13, and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Brooks et al., U.S. Pat. No. 4,948,654 in view of Matsumoto et al., U.S. Pat. No. 4,410,595 in further view of Enlow et al., U.S. Pat. No. 6,336,988-B1.

Brooks shows a decorative sheet material for forming a protective and decorative coating to be bonded to a polyolefin injection-molded article (column 7, lines 17-40) wherein the decorative sheet material comprises a polyolefin substrate, a polyolefin layer (resin/bonding layer), a tie layer comprising an acrylic ester copolymer (primer), a decorative layer comprising a paint, and at least one topcoat comprising acrylic polyols (base sheet) (Figure 1 and column 2, lines 39-46 and column 5, line 42 to column 6, line 64). Brooks shows that the decorative layer comprises a colorant and film-forming binder (column 5, lines 61-66).

Brooks does not specifically show that the polyolefin layer is modified with at least an acrylic monomer as in instant claims 1, 2, 9, and 12. Brooks does not specifically show that the acrylic-modified polyolefin resin comprises at least an acrylic monomer and/or prepolymer grafted on chains of a polypropylene resin as in instant claim 16. Matsumoto shows a thermoplastic resinous laminate adhered to polyolefin plastic materials wherein the laminate comprises an acrylic-modified polyolefin resin prepared by graft-polymerizing acrylic monomers onto polypropylene resin chains (column 3, line 29 to column 4, line 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the polyolefin layer of Brooks with the acrylic-modified polyolefin resin layer of Matsumoto because it is known that such a layer has good thermal adhesion to a wide variety of plastic, polyolefin, and other materials and has good thermal processability.

Though Brooks shows that the decorative layer comprises a paint which includes a film-forming binder, colorant, and light reflecting particles (column 3, lines 9-17 and column 5, lines 61-66), Brooks does not specifically show that the decorative layer comprises an acrylic resin as in instant claim 6. Enlow shows a decorative film comprising a pigmented color coat (decorative layer) which comprises acrylic resins. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use an acrylic resin in the decorative layer of Brooks since it is known that paints can include acrylic resins and because acrylic resins are used in the art as a colorant with a binder.

***Response to Arguments***

Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection. Brooks is still used in the rejection of claims 1-2, 4-13, and 16 to show the decorative sheet bonded to an injection-molded resin molding.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly T. Nguyen whose telephone number is (703) 308-8176. The examiner can normally be reached on Monday to Friday, except on every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia H. Kelly can be reached on (703) 308-0449. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Kimberly T. Nguyen  
Examiner  
January 29, 2003

CYNTHIA H. KELLY  
SUPERVISOR  
TECHNOLOGY CENTER 1700

